IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICGTION

SUIT NO. 160 of 1994

Bank of Baroda ... Plaintiff

vs.

M/s. Gayatri Plastic Industries and ors. ... Defendants

A. B. Shinde for plaintiff
Rama Sharma i/b
K.S. Jain for defendants.

CORAM: **A. S. AGUIAR J.**

Date: 3/5/2005

P.C.

None for the defendants, though served. Affidavits of service are on record. Since the defendants have not filed any written statement, the suit so far as defendant nos. 1, 2 & 4 is concerned was transferred to the list of undefended suits by order dated 7.10.1998. By the same order dated 7.10.98 the Plaintiffs were directed to serve unserved defendants nos. 3 and 5. Learned advocate for Plaintiffs now states that defendant nos. 3 and 5 have been served and the affidavit dated 9.8.99 proving service upon the defendants is on record.

Since the defendants have failed to appear and file written statement there will be a decree under Order VIII Rule 10 CPC in terms of prayer clauses (a), (b), (c), (d), (e) and (f) of the plaint.

Suit stands disposed of with no order as to costs.

C. C. expedited.

(A. S. AGUIAR J.)